

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

January 15, 2014

**Elisabeth A. Shumaker
Clerk of Court**

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

YONI DIMAR MAS-CRUZ, a/k/a
Emerson Josue Gonzelez-Ramires, a/k/a
Yoni Gonzalez-Ramirez,

Defendant - Appellant.

No. 13-1349
(D.C. No. 1:12-CR-00113-WYD-5)

ORDER

Before **GORSUCH** and **MATHESON**, Circuit Judges.

On December 11, 2013, Attorney Robert Fishman filed a motion to withdraw as counsel for Appellant Yoni Dimar Mas-Cruz. On December 12, 2013, we issued an order taking that motion under advisement and directing Mr. Mas-Cruz to file a response. Mr. Mas-Cruz was advised that if a response was not received in the clerk's office within 30 days, his appeal would be dismissed. *See* 10th Cir. R. 42.1.

Thirty days have passed and Mr. Mas-Cruz has not filed a response. Accordingly, Mr. Fishman's motion to withdraw is granted. He shall have no further obligations in this appeal.

The above-caption appeal is dismissed for lack of prosecution pursuant to 10th Cir. R. 42.1.

A copy of this order shall stand as and for the mandate of the court.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in cursive script, appearing to read "Jane K. Castro", with a long horizontal flourish extending to the right.

by: Jane K. Castro
Counsel to the Clerk